IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

Bail Appl..No. 556 of 2007()

S.C. NO. 831 OF 2004 OF ASST. SESSIONS COURT, MAVELIKKARA

PETITIONER :

R. RAJESH, KULATHILPARAMBIL,
CHENNITHALA SOUTH, ALAPPUZHA

BY ADV. SRI.R.KRISHNA RAJ

RESPONDENTS:

SUB INSPECTOR OF POLICE,
MANNAR, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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B.A. No. 556 of 2007

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Dated, this the 25th day of January 2007

ORDER

Petitioner who is the 2nd accused in Crime No. 168/1997 of Mannar Police Station for an offence punishable under Sec. 436 I.P.C. and which is now pending before the Asst. Sessions Court, Mavelikkara as S.C. 831/04, seeks anticipatory bail.

2. Petitioner who had been granted bail during the crime stage failed to appear before the trial court whereupon his bail was cancelled and proceedings under Sec. 446 Cr.P.C. was initiated by the trial court.

3. Aggrieved by the order passed by the trial court under Sec. 446 Cr.P.C. the petitioner has preferred an appeal before the Addl. Sessions Court-I, Mavelikkara as Crl.A. No. 33/07. In the interlocutory application filed in the Crl. Appeal he has been directed to deposit the entire bond amount imposed as penalty and has also been directed to surrender before the trial court. It is at this stage that the petitioner has filed this application.

4. Counsel for the petitioner submitted that he has deposited the entire bond amount as directed by the lower appellate court. The

petitioner is accordingly directed to surrender before the trial court which shall release him on bail on his executing a bond for Rs. 25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the Assistant Sessions Judge, Mavelikkara on such conditions as that court may impose including a condition to ensure his presence before court for the trial of the case. The petitioner shall also surrender his passport before the trial court while executing the bail bond .

This application is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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